IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 7639 of 2005

Between:

1 K. Shahinsha, S/o. Khader Husain,
R/o.6-4-347, Gali Street, Tirupathi.
2 E. Muni Reddy, S/o. Siddaramulu,
R/o. 13-6-672, PK Layout, Tirupathi.
3 V. Govinda Raju, S/o. Venkata Muni,
R/o.13-4-500, Mallayya Kunta Katta, Tirupathi.
4 S. Sai Kumar, S/o. Subramani,
R/o.572, Maruthi Nagar, Korlaguta, Tirupathi.
5 K. Narayana, S/o.S. Kannan,
R/o.13-9-939, Vivekananda Nagar, Thirupathi.

..... PETITIONERS

AND

1 Tirupathi Municipality, rep by its Commissioner, Tirupati.
2 S. Srinivasulu Reddy S/o S.D. Reddy,
R/o 1-4-8/6/256, Shantinagar Colony, Kukatpally, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue any appropriate Writ, order or direction preferably a Writ in the nature of Writ of Mandamus, declaring the action of the 1st respondent in leasing out the 3 acres of land besides TTD Srinivasam Complex, Tirupathi to the 2nd respondent for running Industrial Exhibition as being arbitrary, illegal and violative of Article 14 of the

Constitution of India and consequently direct the 1st respondent to desist from leasing out the same by maintaining status quo.

Counsel for the Petitioners: Mr.MASTHAN NAIDU CHERUKURI

Counsel for Respondent No.1: Mr.S.I.NEWTON,

S.C. FOR MUNICIPALITIES.

Counsel for Respondent No.2: None appeared.

The Court at admission stage made the following :

ORAL ORDER: (per Sri Bilal Nazki, the Acting Chief Justice)

This writ petition was filed challenging the allotment of certain lands to second respondent for starting an exhibition. This Court stayed starting of exhibition by order dated 8-4-2005. On 11-4-2005, we appointed a Commissioner being Additional District Judge, Tirupati.. The Commissioner also filed a report stating therein that no problems of pollution or traffic congestion would occur if the exhibition is allowed to go on. He made certain recommendations also with respect to parking of the vehicles. We are told that the exhibition was held. Therefore, this writ petition has become infructuous and is accordingly dismissed.

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(BILAL NAZKI, ACJ)

5th July 2005.

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(G.CHANDRAIAH, J.)

ARS

To

1 The Commissioner, Tirupathi Municipality, Tirupati.
2 Two CD copies.